

## REMARKS

### Summary of Office Action

Claims 1-31 are pending in the above-identified patent application.

The Examiner found that there are allegedly six distinct inventions in the above-identified patent application and required restriction to one of those inventions, as follows:

Group I: Claims 1-9, directed to a method;

Group II: Claims 10-12 and 13-14, directed to an apparatus;

Group III: Claims 15-22, directed to an apparatus;

Group IV: Claims 23-25, directed to an apparatus;

Group V: Claims 26-28, directed to an apparatus;

Group VI: Claims 29-31, directed to an apparatus.

### Applicant's Election

Applicant provisionally elects with traverse, for examination in this application, the invention of Group III (claims 15-22).

Applicant respectfully submits that contrary to the Examiner's contention, the inventions of Groups II and III are not distinct subcombinations for at least the reason that the inventions overlap in scope. The inventions of Groups II and III, as characterized by independent claims 10, 13, and 15, have multiple features in common. In particular, the inventions of Groups II and III are directed to apparatus for displaying copies of literature including a rack and a self-advancing backplate disposed within the rack. The inventions merely differ in alternately requiring "a sloped ramp" (claim 10), "a lifting portion" (claim 13), or "an energy storage device" (claim 15). However, all of the limitations of the inventions of Groups II and III may be included within

a single apparatus such as apparatus 10 of applicant's FIG. 1. Apparatus 10 includes a sloped ramp 20, a lifting portion 24, and an energy storage device 14.

For at least the reasons that the inventions of Groups II and III have multiple features in common, and that all of the features of the inventions can be included in a single apparatus in accordance with the invention, applicant submits that the inventions of Groups II and III overlap in scope and are therefore not distinct subcombinations. Applicant respectfully requests that the invention of Group II, including claims 10-14, be joined with the invention of elected Group III, including claims 15-22.

Applicant hereby expressly reserves the right to pursue the non-elected claims in one or more divisional applications.

An early and favorable action is respectfully requested.

Respectfully submitted,



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